

EXHIBIT 1

REQUEST FOR SERVICE ABROAD OF JUDICIAL OR EXTRAJUDICIAL DOCUMENTS

DEMANDE AUX FINS DE SIGNIFICATION OU DE NOTIFICATION À L'ÉTRANGER
D'UN ACTE JUDICIAIRE OU EXTRAJUDICIAIRE

**Convention on the Service Abroad of Judicial and Extrajudicial Documents in
Civil or Commercial Matters, signed at The Hague, the 15th of November 1965.**
Convention relative à la signification et à la notification à l'étranger des actes judiciaires ou extrajudiciaires en
matière civile ou commerciale, signée à La Haye le 15 novembre 1965.

Identity and address of the applicant Identité et adresse du requérant John J. Bamert, Esq. Bamert Regan PLLC 113 Cherry St Unit 55215 Seattle, WA, USA 98104 206.669.2402 Bamert@BamertRegan.com; Docketing@BamertRegan.com	Address of receiving authority Adresse de l'autorité destinataire Service Public Fédéral Justice Service de Coopération internationale civile Boulevard de Waterloo 115 B- 1000 BRUXELLES Belgique
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The undersigned applicant has the honour to transmit – in duplicate – the documents listed below and, in conformity with Article 5 of the above-mentioned Convention, requests prompt service of one copy thereof on the addressee, i.e.:

Le requérant soussigné a l'honneur de faire parvenir – en double exemplaire – à l'autorité destinataire les documents ci-dessous énumérés, en la priant, conformément à l'article 5 de la Convention précitée, d'en faire remettre sans retard un exemplaire au destinataire, à savoir :

	(identity and address) (identité et adresse) Hyperion Entertainment C.V.B.A. Cantersteen 47 1000 Bruxelles Belgique
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<input checked="" type="checkbox"/>	a) in accordance with the provisions of sub-paragraph a) of the first paragraph of Article 5 of the Convention* selon les formes légales (article 5, alinéa premier, lettre a))*
<input type="checkbox"/>	b) in accordance with the following particular method (sub-paragraph b) of the first paragraph of Article 5)*: selon la forme particulière suivante (article 5, alinéa premier, lettre b)* : _____
<input type="checkbox"/>	c) by delivery to the addressee, if he accepts it voluntarily (second paragraph of Article 5)* le cas échéant, par remise simple (article 5, alinéa 2)*

The authority is requested to return or to have returned to the applicant a copy of the documents - and of the annexes* - with the attached certificate.

Cette autorité est priée de renvoyer ou de faire renvoyer au requérant un exemplaire de l'acte - et de ses annexes* - avec l'attestation ci-jointe.

List of documents / Énumération des pièces

- Motion to Withdraw
- Declaration of John J. Bamert, Esq.
- Dutch translation of the Motion to Withdraw
- Dutch translation of the Declaration of John J. Bamert, Esq.

* if appropriate / s'il y a lieu

Done at / Fait à Seattle, Washington, USA, The / le 3rd day of June 2023	Signature and/or stamp Signature et / ou cachet
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CERTIFICATE

ATTESTATION

The undersigned authority has the honour to certify, in conformity with Article 6 of the Convention,
L'autorité soussignée a l'honneur d'attester conformément à l'article 6 de ladite Convention,

- ☐ **1. that the document has been served***
que la demande a été exécutée*

– the (date) / le (date):	1. Insert the date when the document was served
– at (place, street, number): à (localité, rue, numéro) :	2. Insert the place, street and number where the document was served

– in one of the following methods authorised by Article 5: dans une des formes suivantes prévues à l'article 5 :	
<input type="checkbox"/> a)	in accordance with the provisions of sub-paragraph a) of the first paragraph of Article 5 of the Convention* selon les formes légales (article 5, alinéa premier, lettre a))*
<input type="checkbox"/> b)	in accordance with the following particular method*: selon la forme particulière suivante* : _____
<input type="checkbox"/> c)	by delivery to the addressee, if he accepts it voluntarily* par remise simple*

The documents referred to in the request have been delivered to:
Les documents mentionnés dans la demande ont été remis à :

Identity and description of person: Identité et qualité de la personne :	3. Insert the identity and description of the person who received the documents
Relationship to the addressee (family, business or other): Liens de parenté, de subordination ou autres, avec le destinataire de l'acte :	4. Insert the relationship to the addressee of the person who received the documents

- ☐ **2. that the document has not been served, by reason of the following facts*:**
que la demande n'a pas été exécutée, en raison des faits suivants*:

5. Insert facts/reasons why the document has not been served
--

- ☐ **In conformity with the second paragraph of Article 12 of the Convention, the applicant is requested to pay or reimburse the expenses detailed in the attached statement*.**
Conformément à l'article 12, alinéa 2, de ladite Convention, le requérant est prié de payer ou de rembourser les frais dont le détail figure au mémoire ci-joint*.

Annexes / Annexes

Documents returned: Pièces renvoyées :	Insert a list of the documents that are being returned
In appropriate cases, documents establishing the service: Le cas échéant, les documents justificatifs de l'exécution : * if appropriate / s'il y a lieu	Insert a list of the documents that establish that service has been effected
Done at / Fait à Insert the location where you signed the Certificate	Signature and/or stamp Signature et / ou cachet
The / le Insert the date on which you signed the Request (spelt out in full)	

WARNING
AVERTISSEMENT

Identity and address of the addressee

Identité et adresse du destinataire
Hyperion Entertainment C.V.B.A.
Cantersteen 47
1000 Bruxelles
Belgique

IMPORTANT

THE ENCLOSED DOCUMENT IS OF A LEGAL NATURE AND MAY AFFECT YOUR RIGHTS AND OBLIGATIONS. THE 'SUMMARY OF THE DOCUMENT TO BE SERVED' WILL GIVE YOU SOME INFORMATION ABOUT ITS NATURE AND PURPOSE. YOU SHOULD HOWEVER READ THE DOCUMENT ITSELF CAREFULLY. IT MAY BE NECESSARY TO SEEK LEGAL ADVICE.

IF YOUR FINANCIAL RESOURCES ARE INSUFFICIENT YOU SHOULD SEEK INFORMATION ON THE POSSIBILITY OF OBTAINING LEGAL AID OR ADVICE EITHER IN THE COUNTRY WHERE YOU LIVE OR IN THE COUNTRY WHERE THE DOCUMENT WAS ISSUED.

ENQUIRIES ABOUT THE AVAILABILITY OF LEGAL AID OR ADVICE IN THE COUNTRY WHERE THE DOCUMENT WAS ISSUED MAY BE DIRECTED TO:

TRÈS IMPORTANT

LE DOCUMENT CI-JOINT EST DE NATURE JURIDIQUE ET PEUT AFFECTER VOS DROITS ET OBLIGATIONS. LES « ÉLÉMENTS ESSENTIELS DE L'ACTE » VOUS DONNENT QUELQUES INFORMATIONS SUR SA NATURE ET SON OBJET. IL EST TOUTEFOIS INDISPENSABLE DE LIRE ATTENTIVEMENT LE TEXTE MÊME DU DOCUMENT. IL PEUT ÊTRE NÉCESSAIRE DE DEMANDER UN AVIS JURIDIQUE.

SI VOS RESSOURCES SONT INSUFFISANTES, RENSEIGNEZ-VOUS SUR LA POSSIBILITÉ D'OBTENIR L'ASSISTANCE JUDICIAIRE ET LA CONSULTATION JURIDIQUE, SOIT DANS VOTRE PAYS, SOIT DANS LE PAYS D'ORIGINE DU DOCUMENT.

LES DEMANDES DE RENSEIGNEMENTS SUR LES POSSIBILITÉS D'OBTENIR L'ASSISTANCE JUDICIAIRE OU LA CONSULTATION JURIDIQUE DANS LE PAYS D'ORIGINE DU DOCUMENT PEUVENT ÊTRE ADRESSÉES À :

King County Bar Association
Neighborhood Legal Clinic
1200 5th Ave, Suite 700
Seattle, WA, USA 98101
206.267.7070

It is recommended that the standard terms in the notice be written in English and French and where appropriate also in the official language, or in one of the official languages of the State in which the document originated. The blanks could be completed either in the language of the State to which the document is to be sent, or in English or French.

Il est recommandé que les mentions imprimées dans cette note soient rédigées en langue française et en langue anglaise et le cas échéant, en outre, dans la langue ou l'une des langues officielles de l'État d'origine de l'acte. Les blancs pourraient être remplis, soit dans la langue de l'État où le document doit être adressé, soit en langue française, soit en langue anglaise.

SUMMARY OF THE DOCUMENT TO BE SERVED**ÉLÉMENTS ESSENTIELS DE L'ACTE**

Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters, signed at The Hague, the 15th of November 1965 (Article 5, fourth paragraph).

Convention relative à la signification et à la notification à l'étranger des actes judiciaires ou extrajudiciaires en matière civile ou commerciale, signée à La Haye le 15 novembre 1965 (article 5, alinéa 4).

Name and address of the requesting authority:
Nom et adresse de l'autorité requérante :

John J. Bamert, Esq.
Bamert Regan PLLC
113 Cherry St Unit 55215
Seattle, WA, USA 98104
206.669.2402
Bamert@BamertRegan.com;
Docketing@BamertRegan.com

Particulars of the parties*:
Identité des parties* :

John J. Bamert, Esq.
Bamert Regan PLLC
113 Cherry St Unit 55215
Seattle, WA, USA 98104
206.669.2402
Bamert@BamertRegan.com;
Docketing@BamertRegan.com

Hyperion Entertainment C.V.B.A.
Cantersteen 47
1000 Bruxelles
Belgique

* If appropriate, identity and address of the person interested in the transmission of the document
S'il y a lieu, identité et adresse de la personne intéressée à la transmission de l'acte

☒ **JUDICIAL DOCUMENT****
ACTE JUDICIAIRE**

Nature and purpose of the document: Nature et objet de l'acte :	Notify Hyperion Entertainment C.V.B.A. that Bamert Regan PLLC is withdrawing from representation of Hyperion Entertainment C.V.B.A.
Nature and purpose of the proceedings and, when appropriate, the amount in dispute: Nature et objet de l'instance, le cas échéant, le montant du litige :	Withdrawal of representation.
Date and Place for entering appearance**: Date et lieu de la comparution** :	June 19, 2023 U.S. District Court for the Western District of Washington at Seattle 700 Stewart Street, Suite 2310 Seattle, WA, USA 98101
Court which has given judgment**: Jurisdiction qui a rendu la décision** :	N/A
Date of judgment**: Date de la décision** :	N/A
Time limits stated in the document**: Indication des délais figurant dans l'acte** :	June 19, 2023

** if appropriate / s'il y a lieu

☐ **EXTRAJUDICIAL DOCUMENT****
ACTE EXTRAJUDICIAIRE**

Nature and purpose of the document: Nature et objet de l'acte :	11. Describe the nature and purpose of the document
Time-limits stated in the document**: Indication des délais figurant dans l'acte** :	12. Specify limits

** if appropriate / s'il y a lieu

THE HONORABLE RICARDO S. MARTINEZ

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

CLOANTO CORPORATION, AMIGA,
INC.,
ITEC, LLC and AMINO DEVELOPMENT
CORPORATION,

Plaintiff,

v.

HYPERION ENTERTAINMENT CVBA,

Defendant.

HYPERION ENTERTAINMENT CVBA,

Counterclaim Plaintiff,

v.

CLOANTO CORPORATION, AMIGA,
INC.,
ITEC, LLC and AMINO DEVELOPMENT
CORPORATION,

Counter-Defendants.

2:18-cv-00381-RSM
(Consolidated with 2:18-CV-0535)

**MOTION TO WITHDRAW AS
COUNSEL**

Note on Motion Calendar: June 23, 2023

1 Counsel for Defendant Hyperion Entertainment C.V.B.A. (“Hyperion”) requests that the
2 Court grant this motion by the attorneys of Bamert Regan PLLC to withdraw from representation
3 of Defendant Hyperion. Good cause exists for this withdrawal. Bamert Decl. ¶2. There are no more
4 deadlines in this case, and final judgment has been entered. Accordingly, such withdrawal cannot
5 impose a material adverse effect on the interests of Defendant Hyperion.

6 This motion has been served on opposing counsel by way of electronic filing. This motion
7 has been provided to Defendant Hyperion by email, U.S. mail to both known mailing addresses,
8 and U.S. mail to the mailing address of its director. Bamert Decl. ¶¶3–5, Exs. 1–3. This motion
9 has also been provided to the Receiving Authority for Belgium with duplicate copies, duplicate
10 translated copies, and a completed form USM-94 for service under the Hague Convention. Bamert
11 Decl. ¶3, Ex. 1.

12 According to Belgium government public records, Defendant Hyperion has an address of
13 Cantersteen 47, 1000 Bruxelles, Belgique. Bamert Decl. ¶4, Ex. 2. The telephone number for
14 Defendant Hyperion’s director is +32 3 502 59 39.

15 Defendant Hyperion has been advised that, as a business entity, it is required by law to be
16 represented by an attorney admitted to practice before this court and that failure to obtain a
17 replacement attorney by the date the withdrawal is effective may result in the dismissal of the
18 business entity’s claims for failure to prosecute and/or entry of default against the business entity
19 as to any claims of other parties.

20 CONCLUSION

21 For the reasons stated above, counsel for Defendant Hyperion respectfully requests this
22 Court to grant this motion for such counsel to withdraw from representation here.

23 //

1 I certify that this memorandum contains 279 words, in compliance with the Local Civil
2 Rules.

3 DATED this 3rd day of June, 2023.

BAMERT REGAN

s/ John J. Bamert

John J. Bamert, WSBA No. 48128

Bamert@BamertRegan.com

113 Cherry St., Unit 55215

Seattle, Washington 98104

T: 206.669.2402

s/ Kevin E. Regan

Kevin E. Regan, WSBA No. 44565

Regan@BamertRegan.com

113 Cherry St., Unit 55215

Seattle, Washington 98104

T: 206.601.5180

*Counsel for Defendant and Counterclaim
Plaintiff, Hyperion Entertainment C.V.B.A.*

THE HONORABLE RICARDO S. MARTINEZ

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

CLOANTO CORPORATION, AMIGA,
INC.,
ITEC, LLC and AMINO DEVELOPMENT
CORPORATION,

Plaintiff,

v.

HYPERION ENTERTAINMENT CVBA,

Defendant.

HYPERION ENTERTAINMENT CVBA,

Counterclaim Plaintiff,

v.

CLOANTO CORPORATION, AMIGA,
INC.,
ITEC, LLC and AMINO DEVELOPMENT
CORPORATION,

Counter-Defendants.

2:18-cv-00381-RSM
(Consolidated with 2:18-CV-0535)

**[PROPOSED] ORDER GRANTING
MOTION TO WITHDRAW AS
COUNSEL**

1 This matter came before the Court on the motion by counsel for Defendant Hyperion
2 Entertainment C.V.B.A.'s ("Hyperion") to withdraw from representation of Defendant Hyperion.
3 After considering the relevant record, Defendant's motion is granted. Counsel Kevin E. Regan,
4 Esq. and John J. Bamert, Esq. are hereby relieved from representation of Defendant Hyperion in
5 this case. Defendant Hyperion must obtain new counsel before its next deadline, if any, upon
6 completion of appeal.
7

8 DATED this ____ day of ____, 2022.
9
10
11

12 THE HONORABLE RICARDO S.
13 MARTINEZ
14

15 *Presented by:*

16 *BAMERT REGAN*
17
18

19 s/John J. Bamert

20 John J. Bamert, WSBA No. 48128
21 Bamert@BamertRegan.com
22 206.669.2402
23 113 Cherry St, Unit 55215
24 Seattle, Washington 98104
25

26 *Counsel for Defendant and Counterclaim*
27 *Plaintiff, Hyperion Entertainment C.V.B.A.*

THE HONORABLE RICARDO S. MARTINEZ

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

CLOANTO CORPORATION, AMIGA,
INC.,
ITEC, LLC and AMINO DEVELOPMENT
CORPORATION,

Plaintiff,

v.

HYPERION ENTERTAINMENT CVBA,

Defendant.

HYPERION ENTERTAINMENT CVBA,

Counterclaim Plaintiff,

v.

CLOANTO CORPORATION, AMIGA,
INC.,
ITEC, LLC and AMINO DEVELOPMENT
CORPORATION,

Counter-Defendants.

2:18-cv-00381-RSM
(Consolidated with 2:18-CV-0535)

**DECLARATION OF JOHN J. BAMERT,
ESQ. IN SUPPORT OF MOTION TO
WITHDRAW AS COUNSEL**

1 I, John J. Bamert, hereby state and declare as follows:

- 2 1. I am one of the attorneys representing Defendant Hyperion Entertainment C.V.B.A.
3 (“Hyperion”) in the above-captioned matter. I make the following statements based on my
4 personal knowledge or upon review of relevant documents. I submit this Declaration in
5 support of the contemporaneously filed motion to withdraw as counsel. If called to testify
6 regarding the matters set forth in this declaration, I am competent and willing to do so.
- 7 2. Good cause exists for this withdrawal under multiple subparts of RPC 1.16, which the
8 undersigned will share with the Court *in camera* if the Court believes such information
9 may be helpful.
- 10 3. Attached as Exhibit 1 to my declaration is a true and accurate copy of form USM-94 and
11 its attachments, including translations, as mailed to the Receiving Authority for Belgium
12 on June 3, 2023, for service on Hyperion under the Hague Convention (duplicates are
13 omitted from this exhibit but have been mailed to the Receiving Authority). Such
14 documents have also been mailed to Defendant Hyperion at the address Defendant
15 Hyperion provided in its Complaint in this case, namely Avenue de Tervueren 34, Brussels,
16 Belgium 1040. (Dkt. #1, ¶6) Such documents have also been mailed to Defendant Hyperion
17 at the address shown in the Belgium public records, which are provided in Exhibit 2 to this
18 declaration, namely Cantersteen 47, 1000 Bruxelles, Belgique. Such documents have also
19 been mailed to Mr. Ben Hermans, who is the director and principal point of contact for
20 Defendant Hyperion, at Amerikalei 79 bus 201, 2000 Antwerp, Belgium, as shown in
21 Exhibit 3. Such documents have also been emailed to Mr. Ben Hermans, which has been
22 the principal mode of communication.

1 4. Attached as Exhibit 2 to my declaration are true and accurate screen prints of the public
2 records of Belgium in both unofficial English and official German showing the address of
3 Defendant Hyperion C.V.B.A.

4 5. Attached as Exhibit 3 to my declaration is a true and accurate screen print of the contact
5 page of Mr. Ben Hermans's law firm.

6 I declare under penalty of perjury under the laws of the United States of America that the
7 foregoing is true and correct.

8 //

9
10
11 Executed on this 3rd day of June, 2023.

12 BAMERT REGAN

13 s/ John J. Bamert

14 John J. Bamert, WSBA No. 48128

Bamert@BamertRegan.com

113 Cherry St., Unit 55215

Seattle, Washington 98104

T: 206.669.2402

*Attorney for Defendant and Counterclaim
Plaintiff, Hyperion Entertainment C.V.B.A.*

THE HONORABLE RICARDO S. MARTINEZ

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

CLOANTO CORPORATION, AMIGA,
INC.,
ITEC, LLC and AMINO DEVELOPMENT
CORPORATION,

Plaintiff,

v.

HYPERION ENTERTAINMENT CVBA,

Defendant.

HYPERION ENTERTAINMENT CVBA,

Counterclaim Plaintiff,

v.

CLOANTO CORPORATION, AMIGA,
INC.,
ITEC, LLC and AMINO DEVELOPMENT
CORPORATION,

Counter-Defendants.

2:18-cv-00381-RSM
(Consolidated with 2:18-CV-0535)

**MOTIE TOT TERUGTREKKING ALS
RAAD**

**OPMERKING OP
BEWEGINGSKALENDER: 23 JUNI 2023**

1 Raadsman van gedaagde Hyperion Entertainment C.V.B.A. ("Hyperion") verzoekt de
 2 Rechtbank deze motie van de advocaten van Bamert Regan PLLC om zich terug te trekken uit de
 3 vertegenwoordiging van beklaagde Hyperion, toe te staan. Er is een goede reden voor deze
 4 intrekking. Bamert decl. ¶2. Er zijn in deze zaak geen deadlines meer en er is een definitieve
 5 uitspraak gedaan. Bijgevolg kan een dergelijke intrekking geen materieel nadelig effect hebben op
 6 de belangen van beklaagde Hyperion.

7 Deze motie is aan de raadsman van de tegenpartij betekend door middel van elektronische
 8 indiening. Dit verzoek is per e-mail aan beklaagde Hyperion verstrekt, via de Amerikaanse post
 9 naar beide bekende postadressen en via de Amerikaanse post naar het postadres van zijn directeur.
 10 Bamert decl. ¶¶3–5, vb. 1–3. Dit verzoek is ook ingediend bij de ontvangende autoriteit voor
 11 België met duplicaatkopieën, duplicaatvertaalde kopieën en een ingevuld formulier USM-94 voor
 12 betekening onder het Haags Verdrag. Bamert decl. ¶3, bijv. 1.

13 Volgens openbare registers van de Belgische overheid heeft beklaagde Hyperion een adres
 14 Cantersteen 47, 1000 Brussel, België. Bamert decl. ¶4, bijv. 2. Het telefoonnummer van de
 15 directeur van beklaagde Hyperion is +32 3 502 59 39.

16 Beklaagde Hyperion is erop gewezen dat hij als zakelijke entiteit wettelijk verplicht is zich
 17 te laten vertegenwoordigen door een advocaat die is toegelaten om voor deze rechtbank te oefenen
 18 en dat het niet vinden van een vervangende advocaat op de datum waarop de intrekking van kracht
 19 wordt, kan leiden tot het ontslag van vorderingen van de bedrijfseenheid wegens niet-vervolgning
 20 en/of in gebreke blijven tegen de bedrijfseenheid en eventuele vorderingen van andere partijen.

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CONCLUSIE

Om de hierboven vermelde redenen verzoekt de raadsman van beklaagde Hyperion de rechtbank respectvol om deze motie toe te staan dat deze raadsman zich hier terugtrekt uit vertegenwoordiging.

I certify that this memorandum contains 279 words, in compliance with the Local Civil Rules.

DATED this 3rd day of June, 2023.

BAMERT REGAN

s/ John J. Bamert

John J. Bamert, WSBA No. 48128
Bamert@BamertRegan.com
113 Cherry St., Unit 55215
Seattle, Washington 98104
T: 206.669.2402

s/ Kevin E. Regan

Kevin E. Regan, WSBA No. 44565
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113 Cherry St., Unit 55215
Seattle, Washington 98104
T: 206.601.5180

*Counsel for Defendant and Counterclaim
Plaintiff, Hyperion Entertainment C.V.B.A.*

THE HONORABLE RICARDO S. MARTINEZ

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

CLOANTO CORPORATION, AMIGA,
INC.,
ITEC, LLC and AMINO DEVELOPMENT
CORPORATION,

Plaintiff,

v.

HYPERION ENTERTAINMENT CVBA,

Defendant.

HYPERION ENTERTAINMENT CVBA,

Counterclaim Plaintiff,

v.

CLOANTO CORPORATION, AMIGA,
INC.,
ITEC, LLC and AMINO DEVELOPMENT
CORPORATION,

Counter-Defendants.

2:18-cv-00381-RSM
(Consolidated with 2:18-CV-0535)

**[VOORGESTELD] BESLUIT TOT
VERLENING VAN MOTIE TOT
TERUGTREKKING ALS ADVISEUR**

[Voorgesteld] Order tot intrekking - 1

Civil Action No. 2:18-cv-00381

Bamert Regan
113 Cherry St, Unit 55215
Seattle, WA 98104
BamertRegan.com
206.669.2402

1 Deze zaak kwam voor de Rechtbank op verzoek van de raadsman van beklaagde
2 Hyperion Entertainment C.V.B.A. (“Hyperion”) om zich terug te trekken uit de
3 vertegenwoordiging van beklaagde Hyperion. Na bestudering van het relevante dossier wordt de
4 vordering van gedaagde toegewezen. Raadsman Kevin E. Regan, Esq. en John J. Bamert, Esq.
5 worden hierbij ontheven van de vertegenwoordiging van beklaagde Hyperion in deze zaak.
6 Beklaagde Hyperion moet nieuwe raadsman verkrijgen vóór de volgende deadline, indien van
7 toepassing, na voltooiing van het beroep.

8 DATED this ____ day of ____, 2022.

9
10
11
12 THE HONORABLE RICARDO S.
13 MARTINEZ
14

15 *Presented by:*

16 *BAMERT REGAN*

17
18
19 s/John J. Bamert

20 John J. Bamert, WSBA No. 48128
21 Bamert@BamertRegan.com
22 206.669.2402
23 113 Cherry St, Unit 55215
24 Seattle, Washington 98104
25

26 *Counsel for Defendant and Counterclaim*
27 *Plaintiff, Hyperion Entertainment C.V.B.A.*

[Voorgesteld] Order tot intrekking - 2

Civil Action No. 2:18-cv-00381

Bamert Regan
113 Cherry St, Unit 55215
Seattle, WA 98104
BamertRegan.com
206.669.2402

THE HONORABLE RICARDO S. MARTINEZ

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

CLOANTO CORPORATION, AMIGA,
INC.,
ITEC, LLC and AMINO DEVELOPMENT
CORPORATION,

Plaintiff,

v.

HYPERION ENTERTAINMENT CVBA,

Defendant.

HYPERION ENTERTAINMENT CVBA,

Counterclaim Plaintiff,

v.

CLOANTO CORPORATION, AMIGA,
INC.,
ITEC, LLC and AMINO DEVELOPMENT
CORPORATION,

Counter-Defendants.

2:18-cv-00381-RSM
(Consolidated with 2:18-CV-0535)

**VERKLARING VAN JOHN J. BAMERT,
ESQ. TER ONDERSTEUNING VAN
MOTIE TOT TERUGTREKKING ALS
RAAD**

1 Ik, John J. Bamert, verklaar en verklaar hierbij het volgende:

- 2 1. Ik ben een van de advocaten die gedaagde Hyperion Entertainment C.V.B.A. ("Hyperion")
3 in de bovenstaande titel. Ik doe de volgende uitspraken op basis van mijn persoonlijke
4 kennis of na bestudering van relevante documenten. Ik dien deze Verklaring in ter
5 ondersteuning van de gelijktijdig ingediende motie om zich terug te trekken als raadsman.
6 Als ik word opgeroepen om te getuigen met betrekking tot de zaken die in deze verklaring
7 worden uiteengezet, ben ik competent en bereid om dat te doen.
- 8 2. Er is een goede reden voor deze intrekking onder meerdere subdelen van RPC 1.16, die
9 ondergetekende achter gesloten deuren zal delen met de Rechtbank als de Rechtbank van
10 mening is dat dergelijke informatie nuttig kan zijn.
- 11 3. Als bijlage 1 bij mijn aangifte is een waarheidsgetrouwe en nauwkeurige kopie gevoegd
12 van formulier USM-94 en zijn bijlagen, inclusief vertalingen, zoals gemaild naar de
13 ontvangende autoriteit voor België op 3 juni 2023, voor betekening op Hyperion onder het
14 Verdrag van Den Haag (duplicaten zijn weggelaten uit deze bijlage, maar zijn per post
15 naar de ontvangende autoriteit gestuurd). Dergelijke documenten zijn ook per post naar
16 beklaagde Hyperion gestuurd op het adres dat beklaagde Hyperion in zijn klacht in deze
17 zaak heeft opgegeven, namelijk Tervurenlaan 34, Brussel, België 1040. (Dkt. #1, ¶6)
18 Dergelijke documenten zijn ook naar beklaagde gemaild Hyperion op het adres vermeld in
19 de Belgische openbare registers, vermeld in Bijlage 2 bij deze aangifte, namelijk
20 Cantersteen 47, 1000 Brussel, Belgique. Dergelijke documenten zijn ook gemaild naar de
21 heer Ben Hermans, directeur en eerste aanspreekpunt van beklaagde Hyperion, aan de
22 Amerikalei 79 bus 201, 2000 Antwerpen, België, zoals blijkt uit productie 3. Dergelijke

1 documenten zijn ook gemaild naar de heer Ben Hermans, wat de belangrijkste manier van
2 communiceren is geweest.

3 4. Als bijlage 2 bij mijn verklaring zijn waarheidsgetrouwe en nauwkeurige schermafdrucken
4 van de openbare registers van België in zowel onofficieel Engels als officieel Duits met
5 het adres van beklaagde Hyperion C.V.B.A.

6 5. Als bijlage 3 bij mijn aangifte is een waarheidsgetrouwe en nauwkeurige schermafdruck
7 van de contactpagina van het advocatenkantoor van de heer Ben Hermans gevoegd.

8
9 Ik verklaar op straffe van meened onder de wetten van de Verenigde Staten van Amerika
10 dat het voorgaande waar en correct is.

11 Uitgevoerd op 3 juni 2023.

12 BAMERT REGAN

13
s/
John J. Bamert, WSBA No. 48128
Bamert@BamertRegan.com
113 Cherry St., Unit 55215
Seattle, Washington 98104
T: 206.669.2402

*Attorney for Defendant and Counterclaim
Plaintiff, Hyperion Entertainment C.V.B.A.*

EXHIBIT 2

New search by number	New search by name	New search by activity	New search by authorisation	New search by address	
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The English version of the Public Search application constitutes an unofficial English translation and is provided for information purposes only.
No legal rights can therefore be derived from this translation. For the official application, please consult the Dutch, French or German versions of the Public Search application.

Registered entity data

In general

Enterprise number:	0466.380.552
Status:	Active
Legal situation:	Normal situation Since April 2, 2015
Start date:	June 29, 1999
Name:	Hyperion Entertainment Name in Dutch, since March 23, 2009
Registered seat's address:	Cantersteen 47 1000 Bruxelles Additional address information.: Silversquare Centraal Since August 30, 2021
Phone number:	No data included in CBE.
Fax:	No data included in CBE.
Email address:	No data included in CBE.
Web Address:	No data included in CBE.
Entity type:	Legal person
Legal form:	Cooperative society with limited liability ⁽¹⁾ Since March 31, 2009
Number of establishment units (EU):	1 Information and activities for each establishment unit

Functions

Director	0841.336.032	Since February 2, 2021
Permanent representative	Hermans , Ben (0841.336.032)	Since February 2, 2021

Entrepreneurial skill - Travelling- Fairground operator

Knowledge of basic management
Since June 19, 2015

Characteristics

Subject to VAT
Since February 1, 2016
Enterprise subject to registration
Since November 1, 2018

Authorisations

Knowledge of basic business management
Since June 19, 2015

Version of the Nacebel codes for the VAT activities 2008⁽²⁾

VAT 2008 [62.010](#) - Computer programming activities
Since January 2, 2014

VAT 2008 [62.020](#) - Computer consultancy activities
Since January 2, 2014

VAT 2008 [70.210](#) - Public relations and communication activities
Since January 2, 2014

VAT 2008 [70.220](#) - Business and other management consultancy activities
Since January 2, 2014

[Show the activities for NACEBEL codification version 2003.](#)

Financial information

Capital	417.570,00 EUR
Annual assembly	June
End date financial year	30 December

Links between entities

No data included in CBE.

External links

[Publications in National Gazette](#)

[Publication of the annual accounts in the Central Balance Sheet Office](#)

[Database of statutes and powers of representation \(notarial deeds\)](#)

⁽¹⁾Since January 1, 2020, the term "Cooperative company with limited liability" must be understood as "Cooperative society" when the company complies with the definition of cooperative society mentioned in article 6:1 of the Code of Companies and Associations (CCA), and this while waiting the conformance of its statutes with the CCA.

⁽²⁾The EC-classification of the Nacebel codes has changed on 1/1/2008. Both the Nacebel codification of 2003 and 2008 are available in Public Search. The 2003 codes were valid until 31/12/2007. On 1/1/2008, the new codification became valid. This was a mere administrative conversion : no activities of the entity or establishment unit have thus been changed.

[Back](#)



FPS Economy, SMEs, Self-Employed and Energy.

Situation in the CBE database on 01/06/2023
Version: 11.0.4-3406-28/10/2022

Neue Suche nach Nummer	Neue Suche nach Namen	Neue Suche nach Tätigkeit	Neue Suche nach Zulassung	Neue Suche nach Adresse	
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Registrierte Einheitsdaten

Allgemeines

Unternehmensnummer:	0466.380.552
Zustand:	Active
Rechtslage:	gewöhnlicher Zustand Seit 2. April 2015
Anfangsdatum:	29. Juni 1999
Name:	Hyperion Entertainment Name in Niederländisch, seit dem 23. März 2009
Adresse des Sitzes:	Cantersteen 47 1000 Bruxelles Zusätzliche Adresseinformation: Silversquare Centraal Seit 30. August 2021
Telefonnummer:	keine Daten in der ZDU
Fax:	keine Daten in der ZDU
Email-Adresse:	keine Daten in der ZDU
Internet-Adresse:	keine Daten in der ZDU
Einheitsart:	Rechtsperson
Rechtsform:	Genossenschaft mit beschränkter Haftung ⁽¹⁾ Seit 31. März 2009
Anzahl der Niederlassungseinheiten (NE):	1 Information und Tätigkeiten für jede Niederlassungseinheit

Funktionen

Verwalter	0841.336.032	Seit 2. Februar 2021
Ständiger Vertreter	Hermans , Ben (0841.336.032)	Seit 2. Februar 2021

Unternehmerische Fähigkeiten - Wanderhandel - Jahrmarktsgewerbetreibender

Grundkenntnisse der Betriebsführung
Seit 19. Juni 2015

Eigenschaften

MwSt-pflichtig
Seit 1. Februar 2016
Anmeldepflichtiges Unternehmen
Seit 1. November 2018

Zulassungen

Grundkenntnisse der Betriebswirtschaft
Seit 19. Juni 2015

2008 Nacebel-Codes für mehrwertsteuerpflichtige Tätigkeiten⁽²⁾

Mehrwertsteuer 2008 62.010 - Programmierungstätigkeiten
Seit 2. Januar 2014
Mehrwertsteuer 2008 62.020 - Erbringung von Beratungsleistungen auf dem Gebiet der Informationstechnologie

Seit 2. Januar 2014

Mehrwertsteuer 2008 [70.210](#) - Public-Relations-Beratung

Seit 2. Januar 2014

Mehrwertsteuer 2008 [70.220](#) - Unternehmensberatung

Seit 2. Januar 2014

[Nacebel-Codes Version 2003](#) anzeigen.

Finanzdaten

Kapital	417.570,00 EUR
Jahresversammlung	Juni
Enddatum des Geschäftsjahres	30 Dezember

Verbindungen zwischen Einheiten

keine Daten in der ZDU

Externe Links

[Bekanntmachung im Belgischen Staatsblatt](#)

[Bekanntmachung des Jahresabschlüsse der NBB](#)

[Datenbank der Statuten und Vertretungsbefugnisse \(notarielle Urkunden\)](#)

(1) Seit dem 1. Januar 2020 muss der Begriff "Genossenschaft mit beschränkter Haftung" als "Genossenschaft" gelesen werden, wenn die Gesellschaft die Definition einer Genossenschaft gemäß Artikel 6:1 des Gesellschafts- und Vereinigungsgesetzbuch (GGV) erfüllt, bis die Satzung mit dem GGV in Einklang gebracht wurde.

(2) Am 01/1/2008 wurde die EG-Klassifikation der Nacebel-Codes geändert. Public Search zeigt die Tätigkeiten gemäß der bis zum 31/12/2007 gültigen Codes sowie die seit dem 01/01/2008 gültigen neuen Codes an. Diese Änderung ist eine reine Verwaltungsumstellung und ändert keineswegs die Tätigkeiten der Einheit oder der Niederlassungseinheit.

[zurück](#)



FÖD Wirtschaft, Mittelstand und Energie

Lage in der ZDU Datenbank am 02/06/2023
Version: 11.0.4-3406-28/10/2022

EXHIBIT 3

info@artes.law



ANTWERP

Amerikalei 79 bus 201
2000 Antwerp

+32 3 502 59 39

HASSELT

Kempische steenweg 311 bus 2.10
3500 Hasselt

+32 11 41 57 46

BTW BE 0726.650.358
RPR Antwerp

NAME*	COMPANY
<hr/>	
MAIL*	PHONE*
<hr/>	
SUBJECT	
<hr/>	
MESSAGE*	

What is bigger, 5 or 7? (anti-spam quiz)*

I accept our [privacy policy](#)*

SEND



Ben Hermans



contact

ben.hermans@artes.law

Ben joined Artes in 2019 as partner in bringing with him 16 years of experience as IP-IT litigator and trusted advisor of both national and international clients. His work in the IT and Telecom sector ranges from the usual IT contract negotiation and drafting to providing hands-on advice and complex cross-border litigation related to aborted multi-million IT projects.

Since 2012 Ben Hermans has been recommended by the Legal 500 in the areas of Intellectual Property and Dispute Resolution. He has been ranked in the “Industry Focus: Information Technology & Telecoms” category since edition 2018.

His client base includes international IT powerhouse Comarch SA, Engie M2M (IoT network operator), the award winning Sparkcentral, Besix Stay as well as a number of large hospitals and fast-growing scale-ups like Daltix, Chili Publishing and Lawren.io. Clients particularly appreciate Ben’s in-depth knowledge of software and technology and his very extensive and personal experience with US judicial procedures and US contract law (CA, NY, WA).

In addition to his Master degree in law, Ben holds a Master in International Relations (KUL), a Master degree in International and European Law (VUB), a LL.M in European law (KUL) and a Master degree in Intellectual Property Law.

Ben Hermans started his career in 1997 as a legal consultant for Belgian and New York based private equity funds with a strong focus on information and communication technology. During this period, he helped set up Telenet and assisted with 3 IPO's of IT companies on the Belgian stock-market. In 2003 Ben joined the Brussels Bar. He practised at Monard Law as an IP-ICT specialist in late 2003 where he became counsel in 2008 and a partner in 2013.

[BACK](#)

[dr. Nele Somers](#)

[Next page](#)

